

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

IN RE: DAS A. BORDEN, DEBTOR

DAS A. BORDEN,)
vs.)
Appellant,)
JOHN D. CLEMENT, JR.,) CIVIL ACTION NUMBER
vs.) 94-C-1341-NE
Appellee.)

17 SEP 29 PM 2:23
U.S. DISTRICT COURT
N.D. OF ALABAMA

swb-

ENTERED

SEP 29 1997

MEMORANDUM OF OPINION

The court has carefully reviewed the Bankruptcy Court's March 22, 1994, Findings of Undisputed Facts. There is no clear error in the findings. Not only are the findings supported by the record; they are compelled by the record. The factual findings are therefore due to be affirmed.

Reviewing de novo the Bankruptcy Court's denial of appellant's Motion, the court affirms the Bankruptcy Court's conclusion that the appellant's claims in the state court action create a core proceeding and thus establish jurisdiction under 28 U.S.C. § 157(b)(2)(A) and (O).

By separate order, the orders appealed from will be affirmed.

DONE this 29th day of September, 1997.

U. W. Clemon
UNITED STATES DISTRICT JUDGE
U. W. CLEMON

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